

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 32, 37, and 43 are amended. Claims 1, 2, 4, 6-10, and 31-46 are pending in this application.

In Section 4 of the Office Action, Claims 1 - 2, 4, 6 - 10, 32-39, 41, 43, and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sheriff *et al.* (US 2002/0065564) in view of Lappetelainen *et al.* (US 7,072,697), hereinafter referred to as Sheriff and Lappetelainen. Claims 1, 32, 37, and 43 are amended, rendering the rejection moot. The combination of Sheriff and Lappetelainen fails to teach or suggest Applicants' claims as amended.

Claim 1, as amended, is directed to a system having a portable device which comprises:

a wireless receiver subsystem comprising a wireless receiver and a first antenna associated with the wireless receiver; and

a wireless transceiver subsystem in communication with the wireless receiver subsystem, the wireless transceiver subsystem comprising a wireless transceiver and a second antenna associated with the wireless transceiver;

(emphasis added.)

Fig. 4 of the present application illustrates “one embodiment of a portable device.” (para. [0012].) This embodiment includes an RF pulse receiver antenna 60 and a WLAN transceiver 58 including an antenna 88 “used for 2.4 Ghz RF transmissions.” (para. [0039].) Other embodiments are also described in the present application.

The combination of Sheriff and Lappetelainen fails to disclose, teach or suggest a portable device having both a wireless receiver with a first antenna and a wireless transceiver having a second antenna where the wireless receiver responds to a signal received at the first antenna to cause the wireless transceiver to actively perform content synchronization via the second antenna.

Sheriff includes a mobile digital content management device (DCMD) which includes a wireless chipset 235 (see para. [0041]). In para. [0044] of Sheriff, the wireless chipset 235 is described as “any computing device capable of transferring digital information through wireless transmission.” However, there is no discussion or suggestion in Sheriff of both a wireless **receiver and** a wireless **transceiver** where the wireless **receiver** responds to a signal to cause the wireless **transceiver** to actively perform content synchronization.

Lappetelainen describes *single antenna system* involving an Rx/Tx block 110 coupled to a power management block 139. (See Fig. 15 below.) Col. 13, lines 45-50 of Lappetelainen indicates that power is saved in “a short range radio” by waking the battery 138 with energy “extracted from the RF field of another active device that is brought to the vicinity of the low power device.” As shown in Fig. 15, the device receives RF field energy at antenna 92 and, when the timer 122 indicates that it is time to transition to an “active mode,” power management block 139 switches antenna 92 to couple with Rx/Tx block 110 using switch 98. Only one antenna is used. Sensors 126 and 128 are in an idle state until after antenna 98 receives RF field energy. (See Col. 13, lines 37-38.)

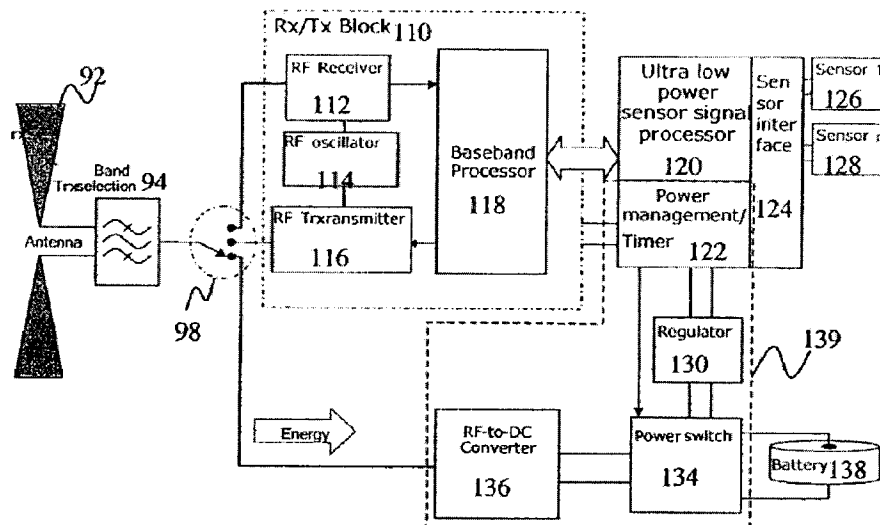


Fig. 15

As such, Lappetelainen fails to teach or suggest a portable device having both a wireless **receiver** with a first antenna **and** a wireless **transceiver** having a second antenna where the wireless **receiver** responds to a signal received at the first antenna to cause the wireless **transceiver** to actively perform content synchronization via the second antenna, as claimed by Applicants.

On page 3 of the Office Action in the “Remarks to Argument” section, the Examiner states:

Examiner respectfully disagrees with Applicants' assertion that Lappetelainen does not teach the feature of responding to a signal to cause the device to transition to an active state. Cols. 2 line 7, 10 lines 2 - 9, and 13 lines 45 - 50 teaches the feature of responding to an RF signal or RF energy to cause the transition from an idle state or standby state to an active state.

However, *this is not what Applicants argued*. Applicants pointed out that transitioning from a “passive mode” to a “power up mode,” as in Lappetelainen, is not the same as initiating “an automatic process of content synchronization,” as in Claim 1. Lappetelainen may teach transitioning to a “power up mode” where less power is used in the “passive mode.” However, Lappetelainen does not teach making such a transition **and** actively performing content synchronization with the server computer. Further, Lappetelainen does not teach actively performing **any function** after transition from a standby state to an active state.

For at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection.

Claim 31

In Section 4 of the Office Action, Claim 31 is rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claim 1, and further in view of Karaoguz et al. (US 2004/0029621, hereinafter Karaoguz). Claim 1, from which Claim 31 depends, has been amended, rendering the rejection moot. As discussed above, though, the combination of Sheriff

and Lappetelainen does not teach or suggest all of the elements of Claim 1. Karaoguz does not provide the missing teachings.

Applicants respectfully request withdrawal of the rejection of Claim 31.

Claims 40 and 44

In Section 5 of the Office Action, Claims 40 and 44 are rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claims 37 and 43, and further in view of Allen et al. (5,812,942, hereinafter Allen). Claims 37 and 43 have been amended, rendering the rejection moot.

The Examiner indicates that “Sheriff in view of Lappetelainen does not teach wherein the wireless signal includes a radio frequency (RF) pulse.” (Office Action, page 12.) To provide this teaching, the Examiner points to Allen. However, the combination of Sheriff and Lappetelainen also fails to teach or suggest from Claim 37 (from which Claim 40 depends):

receiving a wireless signal at a first antenna of a wireless receiver subsystem of a portable device;

causing the wireless transceiver subsystem of the portable device to use a wireless transceiver to synchronize content stored in the portable device with content in a server computer via a second antenna associated with the wireless transceiver

(emphasis added.) Furthermore, the combination of Sheriff and Lappetelainen fails to teach or suggest from Claim 43 (from which Claim 44 depends):

means for receiving a wireless signal at a first antenna of a wireless receiver subsystem of a portable device;

means for synchronizing content stored in the portable device with content in a server computer via a second antenna associated with the wireless transceiver system

(emphasis added.)

Allen does not teach or suggest these missing elements. As such, the rejection of Claims 40 and 44 based on the combination of Sheriff, Lappetelainen and Allen cannot be properly maintained. Applicants respectfully request withdrawal of the rejection.

Claims 42 and 46

In Section 6 of the Office Action, Claims 42 and 46 are rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claims 37 and 43, and further in view of Linnartz (US 2002/0066018, hereinafter Linnartz). Claims 37 and 43 have been amended, rendering the rejection moot.

The Examiner indicates that “Sheriff in view of Lappetelainen does not teach decoding an encrypted message carried by the wireless signal.” (Office Action, page 12.) To provide this teaching, the Examiner points to Linnartz. However, the combination of Sheriff and Lappetelainen also fails to teach or suggest from Claim 37 (from which Claim 42 depends):

receiving a wireless signal at a first antenna of a wireless receiver subsystem of a portable device;

causing the wireless transceiver subsystem of the portable device to use a wireless transceiver to synchronize content stored in the portable device with content in a server computer via a second antenna associated with the wireless transceiver

(emphasis added.) Furthermore, the combination of Sheriff and Lappetelainen fails to teach or suggest from Claim 43 (from which Claim 46 depends):

means for receiving a wireless signal at a first antenna of a wireless receiver subsystem of a portable device;

means for synchronizing content stored in the portable device with content in a server computer via a second antenna associated with the wireless transceiver system

(emphasis added.)

Linnartz does not teach or suggest these missing elements. As such, the rejection of Claims 42 and 46 based on the combination of Sheriff, Lappetelainen and Linnartz cannot be properly maintained. Applicants respectfully request withdrawal of the rejection.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

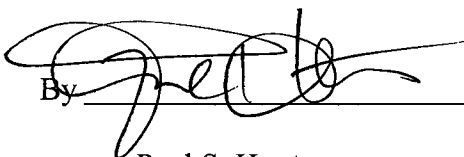
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extension of time is needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fee to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 2, 2009

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

By 

Paul S. Hunter
Attorney for Applicant
Registration No. 44,787